

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE X
PLAYERS' CONCUSSION INJURY :
LITIGATION :

THIS DOCUMENT RELATES TO:

**Daunte R. Culpepper and Kimberly
Culpepper, Plaintiffs**

[illegible]

No. 2:12-md-02323 (AB)

MDL No. 2323

PETITION TO ESTABLISH ATTORNEYS' LIEN

Now comes the Petitioner, Marc Davies, Esq. for Edward Stone Law, P.C., ("Stone") pursuant to O.C.G.A. § 15-19-14 and states:

1. The Petitioner is an attorney at law admitted to practice before the Courts of Pennsylvania, and files this Petition to establish a lien for attorney's fees as set forth hereinafter.

2. On or about September 29, 2014 Stone was retained and employed by the Plaintiffs, **Daunte and Kimberly Culpepper** (the “**Clients**” or “**Plaintiffs**” pursuant to a contingency fee agreement for legal services, to pursue a claim for injuries and damages allegedly caused by the National Football League's conduct associated with football-related concussions, head, and brain injuries.

3. The Fee Agreement provides for compensation to the Petitioner in the amount of 18% of the recovery before all expenses and costs are deducted from the Plaintiffs'

share of recovery.

4. The Fee Agreement also provides that Petitioner be entitled to reimbursement of all costs advanced on Plaintiff's behalf.

5. In the event of no recovery, the Plaintiff shall owe Petitioner nothing for attorneys' fees, costs or expenses.

6. When Petitioner entered into the Fee Agreement with Plaintiff, Petitioner undertook the risk and the entire expected expense of the litigation.

7. From the date the Petitioner was authorized to proceed on behalf of the Plaintiff, the Petitioner has actively and diligently investigated, prepared, and pursued Plaintiffs' claims, and has taken all steps necessary to prosecute those claims including, but not limited to, correspondence and communications with the client, preparation and review of client's factual and legal circumstances, retaining experts, drafting and providing client updates, analyzing Plaintiff's medical status and need for medical testing, responding to audits and appeals, and complying with the Case Management Order and Settlement Agreement.

8. On or about November 4, 2019, Plaintiff discharged the Petitioner as his attorneys in this matter, and new attorneys are pursuing representation of the Plaintiffs in this action.

9. Petitioner was not terminated due to any malfeasance or other improper action.

10. Petitioner claims the right to have a lien for attorneys' contingent fees and expenses established and enforced upon any sums to be derived from any

settlement or judgment obtained or to be obtained by Plaintiff in this action.

WHEREFORE, the Petitioners pray:

- (1) That an attorneys' lien be established;
- (2) That the amount of the lien be determined;
- (3) That the Court order that Petitioner be entitled to enforce an attorneys' lien against the proceeds to be derived from any settlement or judgment in this action;
- (4) That the Defendant or the Defendants' insurer be prohibited from paying to the Plaintiff and/or his present lawyer any sums of money until said lien has been satisfied; and
- (5) For such other further relief as this Court deems just.

Dated: January 8, 2019

Respectfully submitted,

/s/ Edward S. Stone
EDWARD STONE LAW, P.C.
Edward S. Stone, Esq.
Marc Davies, Esq. (PA#81789), *Of Counsel*
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CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing *Petition to Establish Attorneys' Fees* to be served via the Electronic Case Filing (ECF) system in the United States District Court for the Eastern District of Pennsylvania on all parties registered for CM/ECF in the litigation.

Dated: January 8, 2019

/s/ Edward S. Stone
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